IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINETEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

-

WRIT PETITION NO : 9684 of 1999

Between:

S.Kisan, s/o Venkataiah,

Aged about 37 years, Occ:Driver,

E.No.290698, R/o:Shantinagar,

Sangareddy, Dist.Medak.

..... PETITIONER

AND

1. The Regional Manager,

   APSRTC, Medak Region,

   Sangareddy, Dist Medak.

2. The Dy. Chief Traffic Manager,

   (Formerly called as Divisional Manager)

   APSRTC, Sangareddy, Dist. Medak.

3. The Depot Manager,

   APSRTC, Bus Depot, Medak,

   Dist. Medak.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to

issue appropriate writ or direction particularly one in the nature of writ of Mandamus declaring the action of the 3rd respondent in regularizing the petitioners service w.e.f. 19.04.1994 vide proc.No.P1/255(1)/94-SRD, dt.19.04.94, instead of regularizing service on completion of 240 days from the date of initial appointment as arbitrary, unjust and inviolation of Reg.(3) of the APSRTC Employees Service regulation and also inviolation of Art.14, 16 and 21 of the constitution of India and consequently direct the respondents to regularize the service w.e.f.01.07.1992 as the petitioner completed 240 days of service by 30.06.1992 along with all consequential benefits flowing out of such regularization in the interest of justice and fair play.

Counsel for the Petitioner:MR.V.NARASIMHA GOUD

Counsel for the Respondent No: Mr. K.HARINATH

The Court made the following:

THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION NO.9684 OF 1999

ORDER:

This writ petition is filed challenging the proceedings No.P1/255(1)/94-SRD, dated 19.04.1994 passed by the first respondent-The Regional Manager.

The learned counsel for the petitioner submits that the petitioner is entitled for the regularization of his service with effect from 01.07.1992 as per APSRTC Employees Service regulations as he has completed 240 days of service by 30.06.1992. As his services have not been regularized, he filed a representation to the respondents dated 06.03.1999 and the said representation has not yet been considered.

In the detailed counter-affidavit filed by the respondents it is stated that the petitioner is entitled to be regularized w.e.f. 01.07.1992 on completion of 240 days of work. But, by mistake his services were regularized w.e.f. 19.04.1994 and the said mistake has been rectified and the services of the petitioner has been regularized restoring his seniority and also allowing the petitioner to draw monetary benefits from the date of his reengagement after 01.07.1992 instead of 19.04.1994 and to draw the difference of pay and

allowances duly audited.

By office order No.Supdt.(p)/785(43)/98-RM:MR dated 07.10.1999, the said sanction was also issued by the Regional Manager, Medak Region. It is further submitted that the representation has already been considered and no further need to be passed.

Keeping in view of the aforesaid submissions, the writ petition is dismissed, as no further orders need to be passed. No costs.

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V.ESWARAIAH, J

Dated 19th July, 2004.

YCR/SHR

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

Copy to:

1. The Regional Manager,
   APSRTC, Medak Region,
   Sangareddy, Dist Medak.
4. The Dy. Chief Traffic Manager,
   (Formerly called as Divisional Manager)
   APSRTC, Sangareddy, Dist. Medak.
5. The Depot Manager,

APSRTC, Bus Depot, Medak,

Dist. Medak.

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